

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
RICHARD W. NAGEL
CLERK OF COURT

2019 MAY -2 PM 1:57

IN THE MATTER OF THE SEARCH OF:
3565 SEQUIOA DRIVE BEAVERCREEK,
OHIO 45431

MAGISTRATE CASE NO. 3:19-MJ-222

MAGISTRATE JUDGE BOWMAN

MOTION REQUESTING CASE TO
REMAIN SEALED

Now comes the United States Attorney and moves this Court, pursuant to Rule 16(d)(1) of the Federal Rules of Criminal Procedure, and the Court's inherent power to control papers filed with the Court, for an order requiring that the entire case, **3:19-MJ-222**, remain sealed until July 31, 2019 or until such time as an Indictment or Information is filed or until directed by this Court.

In support of this Motion, the United States Attorney charges:

1. That an application for a Tracking Warrant was filed in this case on November 19, 2018. The United States Attorney asks that the entire case, **3:19-MJ-222**, remain sealed until July 31, 2019 or until such time as an Indictment or Information is filed or until directed by this Court. *In re Search Warrant for 2934 Anderson Morris Road Niles, Ohio 44406*, 48 F.Supp.2d 1082, 1084 (6th Cir. 1999) (holding that "the sensitive nature of the information contained in the affidavit, the interest in protecting the ongoing investigation, and the privacy interests of those named in the affidavit, all weigh in favor of maintaining the affidavit under seal.") Placing all documents in case **3:19-MJ-222** under seal will alleviate the need to file multiple duplicate motions in the same Magistrate Case.

2. That there is no Indictment or Information pending before any United States District Court which necessitates the disclosure of the documents in case 1:18-MJ-694 at this time.

3. Pursuant to Rule 12 of the Federal Rules of Criminal Procedure the proper time for moving to suppress evidence obtained pursuant to the search warrant is subsequent to the filing of an Indictment or Information and arraignment thereon. Therefore, no prejudice would be caused to any defendant or potential defendant by the granting of this motion.

4. That the disclosure of certain information and statements contained in said documents would greatly hamper an ongoing criminal investigation.

WHEREFORE, the United States of America respectfully requests that the entire case, **3:19-MJ-222**, remain sealed and kept from public inspection until further order of the Court or until July 31, 2019, whichever comes first.

Respectfully submitted,

BENJAMIN C. GLASSMAN
UNITED STATES ATTORNEY

s/Christy Muncy

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Upon the Motion of the United States Attorney and for good cause shown, it is

ORDERED that the entire case, **3:19-MJ-222**, remain sealed and the Clerk is instructed not to unseal the case until further order of this Court, or until July 31, 2019, whichever comes first.

5/2/19

DATE



HONORABLE MICHAEL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

